

Division of Solid and Hazardous Waste
P.O. Box 414
Trenton, New Jersey 08625-0414
Tel. # (609) 984-6650
Fax. # (609) 633-9839

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Gregory Exarchakis
Tilcon New Jersey, Inc.
P.O. Box 8248
Haledon, New Jersey 07508

Re: Modification to the General Class B Recycling Approval
Tilcon New Jersey, Inc.
Borough of Prospect Park, Passaic County
Facility No. 1610001281

Dear Mr. Exarchakis:

It has come to our attention that there is an error in the Class B Recycling Center General Approval issued to the facility on August 24, 1999. Block 93, Lot 1 was omitted on page 1 of the Approval.

Enclosed is the revised recycling center Approval for the operation of the above-referenced facility which. Please note that this Approval is valid for a period of five (5) years from the original Renewal issuance date, subject to the requirements of N.J.A.C. 7:26A-3.12.

Conditions C.2, C.17 and C.22 of this Approval have been updated. These conditions are currently being updated in all Class B Approvals and must be complied with in order for this Approval to remain valid.

The Department will consider amendment or modification of the specific terms of the conditions of this Approval if a written request is submitted by certified mail within twenty (20) days of receipt of this Approval. Said written request must clearly state the proposed amendment or modification and the factual basis for the request. This

Approval is non-transferable except as set fourth in N.J.A.C. 7:26A-3.15.

If you have any questions regarding this matter, please contact Carolyn Hansel of my staff at (609) 984-6650 or by e-mail at chansel@dep.state.nj.us.

Sincerely,

Thomas Sherman
Assistant Director
Office of Permitting &
Technical Programs

TS:CH
Enclosure

cc: Rai Belonzi, Chief, Bureau of Inspections & Investigations, w/enc.
Scott Brubaker, Bureau of Inspections & Investigations, w/enc.
James D. Rogers, Passaic County Solid Waste Coordinator, w/enc.
Ellie Arnould, Passaic County Recycling coordinator, w/enc.
Judy Critchley, Borough of Prospect Park Municipal Clerk, w/enc.
Health Officer, Passaic County Health Department, w/enc.

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RECYCLING CENTER
GENERAL APPROVAL CONDITIONS
FOR RECEIPT, STORAGE, PROCESSING OR TRANSFER
OF CLASS B RECYCLABLE MATERIALS

Under the provisions of N.J.S.A. 13:1E-1 et seq. and N.J.S.A. 13:1E-99.11 et seq., known as the Solid Waste Management Act and the New Jersey Statewide Mandatory Source Separation and Recycling Act, respectively, and pursuant to N.J.A.C. 7:26A-1 et seq., known as the Recycling Regulations, this Approval is hereby issued to:

TILCON NEW JERSEY, INC.

MUNICIPALITY:	<u>Prospect Park</u>
BLOCK NO.(S):	<u>83 / 93</u>
LOT NO.(S):	<u>1 / 1</u>
COUNTY:	<u>Passaic</u>
CAPACITY:	<u>530 TPD</u>
RECYCLING CENTER NUMBER:	<u>1610001281</u>
APPROVAL EXPIRATION DATE:	<u>August 5, 2004</u>

This Approval is subject to compliance with all conditions specified herein and all regulations promulgated by the Department of Environmental Protection or as may be amended in the future. All references to specific regulations include any future amendments thereto.

This Approval shall not prejudice any claim that State may have to riparian land, nor does it allow Tilcon New Jersey, Inc., or its principals to fill or alter, in any way, lands that are deemed to be riparian, wetlands, stream encroachment areas to flood plains, or that are within the Coastal Area Facility Review Act (CAFRA) Zone or are subject to the Pinelands Protection Act of 1979, nor shall it allow the

discharge of pollutants to waters of this State without prior acquisition of the necessary grants, permits or approvals from the Department of Environmental Protection.

Compliance with the terms of this Approval does not relieve Tilcon New Jersey, Inc., or its principals of the obligation to comply with all applicable State and federal statutes, rules and other permits and municipal approvals or ordinances which are not preempted by the DEP solid waste regulations at N.J.A.C. 7:26-1 et seq. and the recycling regulations at N.J.A.C. 7:26A-1 et seq.

Failure to comply with all the conditions specified herein may result in revocation of this Approval and/or may result in other regulatory or legal actions which the Department is authorized to institute by law.

This Approval shall be effective for not more than five (5) years. An Approval renewal shall be obtained from the Department prior to any activities which are to occur after the expiration of this Approval. In applying for a renewal, applicants shall follow the renewal submission requirements and procedures set forth in N.J.A.C. 7:26A-3.6.

This Approval is non-transferable, except as set forth in N.J.A.C. 7:26A-3.15.

August 24, 1999
Original Issuance Date

Signed by Thomas Sherman, Assistant Director
Thomas Sherman
Assistant Director
Office of Permitting
& Technical Programs

September 28, 2000
Modification Date

August 5, 2004
Expiration Date

Recycling Center General Approval
for
Tilcon New Jersey, Inc.

A. AUTHORIZED RECYCLABLE MATERIALS

1. Permitted Class B Recyclable Materials

The following source separated Class B recyclable materials which have been separated at the point of generation from other waste materials or separated at a permitted solid waste facility authorized to separate recyclable materials may be received, stored, processed or transferred at this facility:

Concrete

Asphalt

Brick

Block

Post-Consumer Non-Asbestos Asphalt Based Roofing Material
(includes, but is not limited to, asphalt roofing shingles, roofing felts, tar paper, and built-up roofing)

Pre-Consumer Non-Asbestos Asphalt Based Roofing Shingles

At no time shall the receipt, storage, processing or transferring of non-source separated construction and demolition material be allowed at this facility. The prohibition of this material shall be strictly enforced and any incident shall be considered a serious violation to the conditions of this Approval.

2. Sampling Protocol for Incoming Post-Consumer Asphalt-Based Roofing Material

a. Responsibility

It is the responsibility of Tilcon New Jersey, Inc., to ensure that material which contains any concentration of asbestos is not received, stored, processed or transferred at the recycling center.

b. Training

All plant employees must be trained and instructed to visually inspect and separate out suspect materials which contain any concentration of asbestos at all stages of the production process. In addition, Tilcon New Jersey, Inc., must either have at least one person on site who is trained in asbestos analysis by polarized light microscopy (PLM), or use an independent

certified laboratory to analyze samples for asbestos content.

c. Inspection for Asbestos

When each vehicle enters the facility (before the load is tipped) the load must be visually inspected for materials which contain any concentration of asbestos such as is common in asbestos cement, floor tiles, pipe insulation material, asbestos felts and siding and roofing shingles. Any detectable amount of these materials shall be cause to reject the entire load. All rejected loads must be reported to the NJDEP, in writing, within three (3) days, and must contain a copy of the recyclable materials receipt form that shall include the name, address, and license plate of the transporter, the street address and municipality of origin of the load, and the reason the load was rejected.

During the second visual inspection (after the load is tipped) the load must again be visually inspected for any materials which contain any concentration of asbestos.

Any detectable amount of these materials is cause to reject the load, which must be entirely reloaded onto the vehicle and the procedure above for rejected loads must be followed.

d. Random Testing for Asbestos

Any sample testing positive for asbestos will result in the rejection of the entire load. DEP must be notified of the rejected load in accordance with Condition A.2.c., the transporter must be reloaded, and the load must be taken to a facility approved to dispose of asbestos-containing materials.

A bulk sample of representative material from a randomly selected load will be taken for asbestos analysis by PLM. The bulk sample will be taken by a Tilcon New Jersey, Inc. employee as soon as the load is tipped during the visual inspection and before it is commingled with the unprocessed material stockpile. The amount of the sample will be sufficient to allow split analysis.

At least 20% (one in five) of the incoming loads or two loads per day (whichever is greater) will be sampled and analyzed by PLM. To ensure that each load has an equal chance of being selected for sampling, a random

sampling strategy must be devised, documented and followed.

Each incoming load will be assigned a number in sequence of arrival on the recyclable material receipt form. Each receipt form will also be date/time stamped. At the start of each day of random load numbers for sampling will be selected from a table of random numbers. Since only a limited number of loads arrive each day only a limited group of numbers can be eligible for selection. The group of eligible numbers is determined by the number of loads expected for that day. If there is no reliable delivery schedule then the anticipated number is determined by the average daily number of loads for that month in the preceding year.

If, in the last two hours of the business day, it appears the number of incoming loads is sufficient to meet the 20% or two-per-day criteria, Tilcon New Jersey, Inc. has the discretion on which final loads will be sampled.

3. Inspection by State Regulators

Authorized state/local officials, including NJDEP and NJDOH, shall be provided unlimited access to the Tilcon New Jersey, Inc. recycling center for inspection. Tilcon New Jersey, Inc. will maintain copies of all technical records at the facility for review. These records include all recyclable material receipt forms, daily sampling, inspection and testing records, tables of random numbers, sample shipment records, records of rejected loads, and analytical laboratory result records.

4. By-Products

Incidental amounts of rebar, metal, soil and other by-products which adhere to the Class B recyclable materials as specified in Condition A.1 and which are returned to the economic mainstream as raw material or products may be received, stored, processed or transferred at this facility. Its receipt shall not be separately accounted for but its storage and end-markets shall be subject to specific conditions of this Approval.

5. Contaminants

The maximum amount of allowable contaminants, as defined in N.J.A.C. 7:26A-1.3, in each incoming load of Class B recyclable materials for acceptance shall be limited to 1% by volume.

Incidental by-product materials included within the Class B recyclable materials shall not be considered to be contaminants.

B.DESIGN AND CONSTRUCTION

The construction of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the New Jersey Uniform Construction Code, the approved documents listed below and this Approval.

1. Approved Documents

- ? Site Plan; prepared by Boswell Engineering, signed and sealed by Peter C. Ten Kate, P.E., New Jersey License No. 23741, dated May 1, 1997, and last modified August 25, 1997.
- ? Tilcon New Jersey Inc., Application for Recycling Center General Approval, dated January 26, 1989.
- ? Tilcon New Jersey Inc., response to the March 22, 1989 deficiency letter, signed by Robert H. Sherry, President, dated June 13, 1989.
- ? Tilcon New Jersey, Inc., response to the June 28, 1989 deficiency letter, signed by Robert H. Sherry, President, dated July 27, 1989.
- ? Tilcon New Jersey, Inc., response to the March 17, 1992 deficiency letter, signed by George W. Thompson, Vice President, dated September 3, 1992.
- ? Tilcon New Jersey, Inc., response to the October 29, 1993 meeting with Bruce Witkowski, Supervisor, NJDEP Bureau of Small Facility Review, signed by Keith Reardon, dated November 18, 1993.
- ? Boswell McClave Engineering, supplemental information for Tilcon New Jersey, Inc., recycling application, signed by Thomas W. Skrabble, dated February 28, 1994.
- ? Tilcon New Jersey, Inc., response to the April 18, 1994 deficiency letter, signed by Keith L. Reardon, dated May 5, 1994

- ? Tilcon New Jersey, Inc., letters detailing the processing and elimination schedule of the stockpile labeled Pile A-3 on the approved site plan drawing, signed by Keith L. Reardon, dated June 28, 1994 and July 1, 1994.
- ? Tilcon New Jersey, Inc., Request for modification signed by Peter C. Ten Kate, P.E., Boswell Engineering, dated June 9, 1997.
- ? Tilcon New Jersey, Inc., Response to modification request deficiency letter, signed by Peter C. Ten Kate, P.E., Boswell Engineering, dated October 6, 1997.
- ? Tilcon New Jersey, Inc., Letter removing post-consumer asphalt-based roofing shingles from modification request, signed by William J. Sandbrook, President and CEO, dated December 5, 1997.
- ? Tilcon New Jersey, Inc., Letter requesting addition of post-consumer asphalt-based roofing shingles, signed by William J. Sandbrook, President and CEO, dated June 24, 1998.
- ? Tilcon New Jersey, Inc., Letter requesting renewal of Class B General Approval, signed by Greg Exarchakis, Manager, dated June 29, 1999.

C. RECYCLING CENTER OPERATIONAL STANDARDS

The operation of this facility shall be in accordance with the provisions of N.J.A.C. 7:26A-1 et seq., the standards set forth herein and the approved documents specified in Condition B.1. Where any discrepancy exists, the terms of this Approval shall prevail.

1. Hours of Operation

Hours of operation for receiving, storing, processing or transferring source separated recyclable material as specified in Condition A.1 of this Approval shall be limited to 7:00 a.m. to 3:30 p.m., Monday through Friday.

2. Residue

(Revised 9/28/00)

Residue defined as solid waste, shall be transported by a NJDEP registered transporter for disposal pursuant to the applicable district solid waste management plan.

Residue shall be stored separately from recyclable material in containers and in a manner which prevents run-off, leakage or seepage from the residue storage area into, on or around the soil of the residue storage area.

No residue shall be stored on site for a period exceeding six (6) months without prior approval of the NJDEP.

3. Maximum Daily Capacity

The Tilcon New Jersey, Inc., recycling center may receive no more than 300 tons per day of concrete, asphalt, brick and block as specified in Condition A.1 of this Approval and no more than 230 tons per day of pre-consumer and post-consumer asphalt based roofing material.

4. Maximum Weekly Capacity

The Tilcon New Jersey, Inc., recycling center may receive no more than 1,500 tons per week of concrete, asphalt, brick and block recyclable materials and no more than 1,150 tons per week of pre-consumer and post-consumer asphalt based roofing material as specified in Condition A.1 of this Approval.

5. Unprocessed Materials Storage

- a. The total amount of unprocessed concrete, asphalt, brick and block recyclable materials stored on-site shall not exceed 52,000 cubic yards and shall be stored only in those areas designated as Pile A-1, Pile A-2, Pile A-4, and Pile A-5 on the approved site plan drawing.

If at any time, the amount of unprocessed concrete, asphalt, brick, and block recyclable materials stored on-site exceeds 52,000 cubic yards, Tilcon New Jersey, Inc. shall immediately cease receiving any unprocessed concrete, asphalt, brick and block recyclable materials until the amount of unprocessed material stored on-site falls below 52,000 cubic yards.

- b. The total amount of unprocessed pre-consumer and post-consumer asphalt based roofing material stored on-site shall not exceed 18,000 cubic yards and shall be stored only on the area designated as Pile A-6 on the approved site plan. Pre-consumer and post-consumer asphalt based roofing material piles shall be labeled and kept separately from each other within the area designated as Pile A-6. At no time shall the unprocessed pre-consumer asphalt based shingles be commingled with the unprocessed post-consumer asphalt based shingles.

If at any time, the amount of unprocessed pre-consumer and post-consumer asphalt based roofing material stored on-site exceeds 18,000 cubic yards, Tilcon New Jersey, Inc. shall immediately cease receiving any unprocessed pre-consumer and post-consumer asphalt based roofing material until the amount of material stored on-site falls below 18,000 cubic yards.

All unprocessed recyclable material shall not remain on-site, in its unprocessed form, for more than one (1) year.

6. Processed Materials Storage

- a. The total amount of processed concrete, asphalt, brick, and block recyclable materials stored on-site shall not exceed 49,000 cubic yards and shall be stored only in those areas as designated as Pile A-3, Pile A-8, and Pile A-9 on the approved site plan drawing.

If at any time, the amount of processed concrete, asphalt, brick, and block recyclable materials stored on-site exceeds 49,000 cubic yards, Tilcon New Jersey, Inc. shall immediately cease processing activities until the amount of processed concrete, asphalt, brick, and block material falls below 49,000 cubic yards.

- b. The total amount of processed asphalt based roofing shingles shall not exceed 6,000 cubic yards and shall be stored only in those areas as designated as Pile A-7 on the approved site plan drawing.

If at any time, the amount of processed asphalt based roofing material stored on-site exceeds 6,000 cubic yards, Tilcon New Jersey, Inc. shall immediately cease processing activities until the amount of processed asphalt based roofing material falls below 6,000 cubic yards.

All processed material shall be stored separately from residues.

7. By-Products Storage

By-products shall be stored in the container(s) or area(s) as depicted on the approved site plan and shall be removed off-site to the end-markets as referenced in the approved documents.

8. Horizontal and Vertical Controls

Horizontal and vertical control points for the unprocessed and processed materials stockpile areas shall be set and maintained on-site. Horizontal limitation markers shall be set at the corners of the stockpile areas as depicted on the approved site plan. Vertical limitation markers shall be set at locations in close proximity of the stockpile areas and shall clearly establish elevation heights of 50 feet above the existing grade for Pile A-1, 30 feet above the existing grade for Piles A-2 through A-5, 20 feet above the existing grade for Piles A-6 and A-7, 25 feet above the existing grade for Pile A-8, and 30 feet above the existing grade for Pile A-9.

9. Commingling

Tilcon New Jersey, Inc., may receive, store, process or transfer source separated concrete, asphalt, brick, and block separately or in a commingled manner. Tilcon New Jersey, Inc., may not receive or store pre-consumer asphalt based roofing products commingled with any other material. Tilcon New Jersey, Inc. may not receive or store post-consumer asphalt based roofing products commingled with any other material. Tilcon New Jersey, Inc. may process and store the processed non-asbestos containing pre-consumer and post-consumer asphalt based roofing material in a commingled manner.

10. Applicable Regulations

The operation and related activities of this recycling center shall be in conformance with all applicable federal, State, county, municipal and local statutes, rules and ordinances including but not limited to nuisance, noise, fire and safety codes.

11. Safety Procedures

The operation of the recycling center shall be in conformance with the Occupational Safety and Health Act (OSHA) regulations as contained in the General Industry Standards 29 CFR 1910. Construction activities shall be in conformance with the OSHA regulations as contained in the Construction Industry Standards 29 CFR 1926. A copy of the safety procedures shall be posted on-site.

12. Housekeeping

Routine housekeeping and maintenance procedures shall be implemented within the recycling center interior to prevent the accumulation of litter, dust and debris, and

to maintain general cleanliness in the working environment.

13. Odor Control

The operation of this recycling center shall not cause any air contaminant, including an air contaminant detectable by the sense of smell, to be present in the outdoor atmosphere in such quantity and duration which is, or tends to be, injurious to human health or welfare, animal or plant life or property, except for malodorous emissions emanating from the recycling center which result in odors in areas over which the owner and/or operator has exclusive use or occupancy.

14. Vector Control

The recycling center shall institute and maintain an effective vector control program at the center, directed by a qualified applicator of pesticides as set forth in the New Jersey Pesticide Control Code N.J.A.C. 7:30.

15. Dust Control

Dust shall be controlled by the spraying of water, the spreading of calcium chloride or equivalent means as approved by this Division.

16. Noise Control

Noise controls shall be implemented so that noise levels generated at the recycling operation shall not exceed the standards set forth by New Jersey State Noise Control Regulations under N.J.A.C. 7:29-1.2.

17. Fire Protection and Emergency Response(Revised 9/28/00)

Fire fighting and emergency procedures shall be posted and shall include the telephone number of local fire, police, ambulance and hospital facilities.

In the event of an on-site fire, the facility shall immediately notify the local fire official and within 24 hours report the incident to the toll free DEP Hotline at 1(877) WARNDP.

18. Air Pollution Control Permits

All processing equipment shall be operated in a manner which is in compliance with any air pollution control permits issued pursuant to N.J.A.C. 7:27-8 and 7:27-22.

19. Entrance Sign

A legible sign shall be posted and maintained at the entrance to the recycling center and indicate the hours of operation of the recycling center as well as the following information:

- a. A listing of the approved recyclable materials as specified in Condition A.1. of this Approval.
- b. The size, weight or other restrictions regarding materials to be received.
- c. A notice that all vehicles delivering materials to the recycling center will be inspected, and if found to contain contaminants greater than 1% by volume, will be rejected.
- d. A notice that persons bringing materials to the recycling center shall complete and certify a materials receipt form.

20. Soil Tracking Control

Mud, soils or other materials shall not be tracked onto any public roads by any exiting vehicles. Effective measures shall be implemented to comply with this condition.

21. Site Access

Ingress and egress of the facility shall be restricted to Planten Street only.

22. Hazardous Waste

(Revised 9/28/00)

Any suspected or prohibited hazardous waste, as defined at N.J.A.C. 7:26G-5, found in a load accepted at the facility shall not be returned to the generator. Such materials shall be segregated and stored in a secure manner and shall be immediately reported to the NJDEP Environmental Action Hotline at 1(877) WARNDP. The owner/operator shall secure the name of the collector/hauler suspected of delivering such waste to the facility and related information surrounding the incident, if available, and shall make this information known to the Department's enforcement personnel.

23. Documents On-Site

A copy of the approved documents as referenced in Condition B.1 and a copy of this Approval shall be maintained at the facility and shall be made available for inspection by Department personnel or its designated representatives.

24. End-Markets

All end-markets to which recyclable materials are transported from the recycling center shall remain consistent with those end-markets specified in the approved documents. Any modification in the actual end-market for a recyclable material specified in Condition A.1 shall be in conformance with N.J.A.C. 7:26A-3.10(f).

25. Right of Entry

The New Jersey Department of Environmental Protection shall have the right to enter and inspect, without prior notice, any building or other portion of the recycling center, or any other location of the company or its affiliated companies at any time.

This right to inspect includes, but is not limited to, the right to engage in the following activities:

- a. Sample any materials on-site;
- b. Photographing or videotaping any portion of the recycling center;
- c. Investigating an actual or suspected source of pollution of the environment;
- d. Ascertaining compliance or non-compliance with the statutes, rules or regulations of the NJDEP, including the conditions of the recycling center approval issued by the NJDEP; or
- e. Reviewing and copying all applicable records, which shall be made available to the NJDEP during an inspection and submitted to the NJDEP upon request.

D. RECORDINGKEEPING AND REPORTING

1. Recordkeeping

In accordance with N.J.A.C. 7:26A-3.17, Tilcon New Jersey, Inc. shall maintain daily records of all materials received, stored, processed or transferred at the site. Said records shall be available at all times for inspection and shall indicate, at a minimum, the following:

- a. A daily record of the amounts of each recyclable material by type and municipality of origin which are received, stored, processed or transferred each day, expressed in tons or in cubic yards. Those operators specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.
- b. The name, address and telephone number of the end-markets for all recyclable materials transported from the recycling center, including the amount, in tons or cubic yards, transported to each end-market. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons. NJDEP reserves the right to verify all end-market information submitted by Tilcon New Jersey, Inc.
- c. The amount of residue disposed of, expressed in tons or cubic yards, including the name and the NJDEP solid waste registration number of the solid waste collector/hauler contracted to provide the haulage/disposal service. Those persons specifying the amount of residue in cubic yards shall also indicate the conversion ratio of residue from cubic yards to tons.

Tilcon New Jersey, Inc. shall retain the information for three (3) calendar years following the calendar year for which reporting is required.

2. Reporting

a. Annual Report

In accordance with N.J.A.C. 7:26A-3.17, Tilcon New Jersey, Inc. shall submit an annual report containing monthly summary statements of the information required pursuant to Condition D.1 above to the NJDEP on or before February 1 of each year, for the previous calendar year. The summaries shall include monthly

totals of the amount of recyclable material received from each customer by the municipality of origin. Furthermore, the summaries shall include monthly totals of the amount of recyclable product transferred to each end-market. The summaries shall also include the amount of residue disposed of during each month. An annual fee will be paid to the Department on May 1, in accordance with N.J.A.C. 7:26A-2.1(b)1;

b. Residue Disposal

Tilcon New Jersey, Inc. shall certify in writing to the Department that all residue generated at the recycling center has been disposed of in accordance with the solid waste management rules at N.J.A.C. 7:26. The certification shall be submitted annually as part of the annual report;

c. Tonnage Report

Tilcon New Jersey, Inc. shall provide a recycling tonnage report by February 1 of each year to all municipalities from which recyclable material was received in the previous calendar year. The report shall detail the amount of each source separated recyclable material, expressed in tons or cubic yards, brought to the recycling center. Those persons specifying this information in cubic yards shall also indicate the conversion ratio of the materials from cubic yards to tons.

One original and one copy of the annual report and tonnage report shall be submitted to:

New Jersey Department of Environmental Protection
Division of Solid and Hazardous Waste
Chief, Bureau of Recycling and Planning
P.O. Box 414
Trenton, New Jersey 08625-0414

Failure to comply with any or all conditions of this Approval will result in the NJDEP seeking relief under the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq. Specifically, each day of failure to so comply shall constitute a separate violation on the basis of which a penalty shall be assessed pursuant to N.J.S.A. 13:1E-9 and may subject Tilcon New Jersey, Inc. to regulation as a solid waste facility pursuant to N.J.S.A. 13:1E-1 et seq. and N.J.A.C. 7:26-1 et seq.

The issuance of this Approval and the conditions of operation identified herein shall not be interpreted as relieving the applicant of his responsibility to secure and maintain all other applicable federal, State and local permits or similar forms of authorization relating to the construction and operation of this facility.